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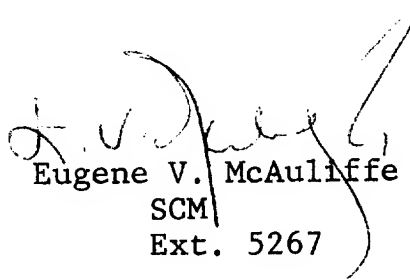
Trilateral Talks

Background Paper

State Dept. declassification & release instructions on file

The attached Background Paper entitled "The Mansfield Resolution" was prepared by Miss Rozanne Ridgway, EUR/RPM.

It has not yet been approved by Mr. McCloy.


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Attachment:

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THE MANSFIELD RESOLUTION

Senate Resolution 300, which calls for a reduction in United States forces in Europe, was introduced on August 31 by Senator Mike Mansfield. It represents the conclusions arrived at by the members of the Senate Majority Policy Committee after a series of discussions held in July and August. The text of the Resolution is at Tab A.

The question of United States forces in Europe arose spontaneously at a July 13 session of the Majority Policy Committee. At the end of the session, the membership, by unanimous agreement, directed its Chairman, Senator Mansfield, to advise the President of the Committee's deep concern over what appeared to be an excessive and unchanging deployment of US ground forces in Europe. This was done by letter on July 14. The President responded by asking Secretary Rusk, Secretary McNamara, and Secretary Fowler, to meet with the Committee members to discuss this deployment and to point out to them that in the Administration's judgment, the issue was a NATO matter which involved consultations with Allies. The meeting took place in the Department of State on July 18. Ambassador McGee met with the Committee on July 22. Four Committee-only meetings also were held.

The resolution, which has come to be known as the Mansfield Resolution, enjoys an eminent Senatorial sponsorship. In addition to Senator Mansfield, it is sponsored by the entire membership of the Majority Policy Committee -- Senators Long, Smathers, Hill, Richard Russell, Hayden, Magnuson, Pastore, Symington, Hart, Brewster, and Inouye. It is co-sponsored by Senators Morse, Talmadge, Proxmire, Burdick, Gruening, McIntyre, Fulbright, Dominick, Milton Young, Edward Long, Pearson, Yarborough and Robert Byrd.

In addition to stirring up some in-house difficulties over procedures (the sponsors apparently were not planning to bring their resolution to the Senate floor via the Committee route but rather anticipated a floor debate only), the resolution

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ran headlong into our own planning for trilateral talks on force levels. Also, the Congress was in the last weeks of its session and it was clear that a full debate, either in Committee or on the floor, would further delay adjournment. On October 18, Senator Mansfield informed the Senate that the co-sponsors of the resolution had decided to defer action until early 1967, when it would be reintroduced. Noting the Johnson-Erhard communique of September 27 and the President's speech of October 7, Senator Mansfield expressed his confidence that consideration would be given to adjustments and reductions in the current deployment of United States forces in Europe. He reiterated his belief that there is a fundamental need for Senate Resolution 300 and that only the urgency for it had been modified somewhat by the actions of the Administration since the proposal was introduced. (Obviously there will be a chicken-and-egg discussion between the resolution sponsors and the Administration when the issue is raised again in 1967.)

Senate Attitudes:

As the resolution sponsors seem to be leaning heavily on the 1951 resolution as a precedent, it can be assumed with some assurance they will decide to employ also the 1951 procedures, referring their resolution to the Committee on Foreign Relations and the Armed Services Committee. The Foreign Relations Committee earlier this year made it clear it had some doubts about our European policies, particularly as they concern NATO. We have not had an opportunity to measure attitudes on the Armed Services Committee but it may well be that pressures on that Committee resulting from Vietnam will spark a lively interest in troop reductions in Europe. Finally, apart from these two Committees, there is the fact that the Majority Policy Committee and the other co-sponsors of the resolution can wield considerable influence with their colleagues, many of whom may find a bring-the-boys home issue ideally suited to meet both the requirements of what they believe to be the national interest and the requirements of their political constituencies.

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Administration Attitudes:

The Administration's position on the Mansfield Resolution has two themes: 1) the United States cannot announce unilaterally that it plans to withdraw substantial forces from Europe on its own initiative; 2) the force levels which the United States and its NATO Allies maintain must remain sufficiently high to foreclose the possibility of miscalculation of our intention. The political and physical threat to the Alliance nations is measured annually to determine force requirements for the ensuing years. A major responsibility in this common effort falls to the United States. Any reduction in our forces without prior consultation obviously would be detrimental to our combined interests. Therefore, the Administration considers the Resolution unhelpful at this time.

The Precedent: The 1951 "Troops to Europe" Resolution:

The 1951 resolution is not just 15 years old. It is from another era. Its legislative history, read from across the years which have seen the United States assume increasing international responsibilities and act to meet them, is startling, if not almost incredible.

Article 3 of the North Atlantic Treaty states, "In order more effectively to achieve the objectives of this treaty the parties separately and jointly, by means of continuous and effective self-help and mutual aid, will maintain and develop their individual and collective capacity to resist armed attack." In approving the military-aid program inherent in this commitment, the Senate in 1949 added to the basic legislation a requirement that the bulk of the funds to carry out the program would not be available until there had been prepared and then approved by the President integrated plans for the defense of the North Atlantic area.

A recommendation which implied balanced collective forces for an integrated defense was made by the North Atlantic Treaty Council and the Treaty Defense Committee, and was subsequently

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approved by President Truman on January 27, 1950. At meetings in the Spring of 1950, the Council, Defense Ministers, and national military planners set to the task of determining the number and types of forces which would be required. Meanwhile, each country was requested to build up its forces available to NATO. For the United States, the Joint Chiefs of Staff recommended to Secretary of Defense Marshall and he in turn recommended to President Truman, who approved, a policy with respect to our forces in Europe which looked to maintenance of approximately six divisions of ground forces. There were already there, on occupation duty, about two divisions. Our plans, therefore, looked to sending four additional divisions.

On September 9, 1950, President Truman announced publicly his decision: "On the basis of recommendations of the Joint Chiefs of Staff, concurred in by the Secretaries of State and Defense, I have today approved substantial increases in the strength of United States forces to be stationed in Western Europe in the interest of the defense of that area. The extent of these increases and the timing thereof will be worked out in close coordination with our North Atlantic Treaty partners. A basic element in the implementation of this decision is the degree to which our friends match our actions in their regard. Firm programs for the development of their forces will be expected to keep full step with the dispatch of additional United States forces to Europe. Our plans are based on the sincere expectation that our efforts will be met with similar action on their part. The purpose of this measure is to increase the effectiveness of our collective defense efforts and thereby insure the maintenance of peace."

In the Fall of 1950 the Treaty nations continued refining NATO's organization and command structure and preparing guidance for national efforts to increase national forces. At the Brussels meeting of the Council in December 1950 the integrated structure was approved and the Council requested President Truman to designate General Eisenhower to head it.

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Meanwhile, in the United States, the President's September announcement had created a partisan furor which lasted until April 1951.

As stated by Republican Senator Kenneth Wherry of Nebraska, the Senate Minority Leader, the issue was clear: "The all-important right to determine national defense policy is reserved to the people. They have the sovereign power, acting through their representatives in the Congress, to raise military forces, and inherent in that right is the determination of what their respective functions shall be...We are told there are a hundred precedents that support Presidential power to order American boys into an international army in Western Europe. The truth is there is no precedent to support such action by the President and there is no authority in the North Atlantic Treaty for him to do so without authorization by the Congress." In a less emotional manner, the question was put as being "Whose function is it in our Government to carry out the intent of Article 3 of the North Atlantic Treaty?"

On January 8, 1951, within an hour after the President's State of the Union Message, Senator Wherry introduced Senate Resolution 8: "RESOLVED, That the Committee on Armed Services and the Committee on Foreign Relations are authorized and directed to meet jointly to consider and report recommendations on whether or not the Senate should declare it to be the sense of the Senate that no ground forces of the United States should be assigned to duty in the European area for the purposes of the North Atlantic Treaty pending the adoption of a policy with respect thereto by the Congress. Such report, which shall be approved by a majority of the combined membership of the Committee on Armed Services, and the Committee on Foreign Relations, shall be limited to the subject matter of this resolution, and shall not contain any recommendation on any matter which is not germane thereto, or which is in substantial contravention thereof, or any recommendation either approving or disapproving the assignment of ground forces of the United States to duty in the European area for the purposes of the North Atlantic Treaty..."

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Appearing as Administration witnesses in opposition to the resolution, which was considered at hearings held during the entire month of February 1951, were Secretaries Acheson and Marshall, Generals Bradley, Collins, and Vandenberg, and Admiral Sherman. The questions addressed to them indicated that many Senators, including those who supported the President's decision and affirmed his right to make it, were genuinely concerned with whether our Allies would do their part, whether the dispatch of troops other than those required for occupation might provoke a Soviet attack, and the nature and extent of our commitment under the North Atlantic Treaty which, at the time they had approved the Treaty, appeared to them to be fully described by and limited to the provisions of Article 5. While the witnesses were able to deal with these questions to the satisfaction of those who were already convinced, they were placed in a very difficult position. Secretary Marshall described it as speaking to "...the defense matter, and the debate is as between the administrative powers of the President and the congressional powers."

Nevertheless, it was a Democratic Congress and the Wherry Resolution could be defeated easily. The question then became, considering the doubts which have been aired and the publicity they have received, would it not greatly strengthen our position at home and abroad if Congress were to act affirmatively in approving the sending of troops to Europe in peacetime? The Administration's answer was yes. At the close of the February hearings the Foreign Relations and Armed Services Committees jointly reported out the "Connally-Russell Resolution," Senate Resolution 99, and, in order to have the approval of the House as well, Senate Concurrent Resolution 18, with the same text except for its references to the "sense of the Congress."

Debate on the Connally-Russell Resolution, which also came to be known as the "Troops to Europe Resolution," was held up by the debate on universal military training. Considerable concern was voiced during the UMT debate that 18 year-old American boys might end up in Europe assigned

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alongside 21 year-old English and French boys, but when the Senate took up the Connally-Russell Resolution, the Republican opposition, led by Senators Wherry and Bricker, put aside the less important arguments of fraternization and international armies and returned to the theme of constitutional power. They lost, on April 4, 1951, when the Senate passed Senate Resolution 99, as amended, 69-21. The Senate also passed the concurrent resolution, but it died in the House. (Senate Resolution 99, as amended, is at Tab B.)

This brief background has been prepared with reference only to the Congressional documents which are available. These documents do not indicate the extent to which the Administration may have participated in the drafting of Senate Resolution 99. The language of the resolution suggests that the Administration's contribution, if any, was small, at least insofar as concerns those portions of the resolution which describe the role of the Senate in approving troop deployments. From the Administration's point of view, the Whereases and Paragraphs 1 and 2 most likely were all that was required, or desired.

What the Congressional Record does show, however, is that it is not quite true that "The resolution of 1951 was welcomed by President Truman and the Executive Branch..." or that the Senate was giving "official advice" as Senator Mansfield said in his accompanying statement. Rather, the Congress was stating its approval of a non-amendable decision already arrived at by the President who, according to the Baltimore Sun of January 12, 1951, regarded "consultation with the legislative branch as an act of courtesy rather than a legal requirement." As the product of an Executive-Legislative rope-pull in the extraordinary circumstances of 1951, Senate Resolution 99 offers very little in the way of authority or precedent for Senate Resolution 300.

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SENATE RESOLUTION 300

Reduction of United States Forces in Europe

Whereas, the foreign policy and military strength of the United States are dedicated to the protection of our national security, the preservation of the liberties of the American people, and the maintenance of world peace; and

Whereas the United States in implementing these principles has maintained large contingents of American Armed Forces in Europe, together with air and naval units for 20 years, and

Whereas the security of the United States and its citizens remains interwoven with the security of other nations signatory to the North Atlantic Treaty as it was when the Treaty was signed but the condition of our European allies, both economically and militarily, has appreciably improved since large contingents of forces were deployed; and

Whereas the means and capacity of all members of the North Atlantic Treaty Organization to provide forces to resist aggression has significantly improved since the original United States deployment; and

Whereas the commitment by all members of the North Atlantic Treaty is based upon the full cooperation of all treaty partners in contributing materials and men on a fair and equitable basis but such contributions have not been forthcoming from all other members of the organization; and

Whereas relations between Eastern Europe and Western Europe were tense when the large contingents of U.S. forces were deployed in Europe but this situation has now undergone substantial change and relations between the two parts of Europe are now characterized by an increasing two-way flow of trade, people and other peaceful exchange; and

Whereas the present policy of maintaining large contingents of U.S. forces and their dependents on the European continent also contributes further to the fiscal and monetary problems of the United States:

Now, therefore, be it

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Resolved by the Senate, That-

1. it is the sense of the Senate that, with changes and improvements in the techniques of modern warfare and because of the vast increase in capacity of the United States to wage war and to move military forces and equipment by air, a substantial reduction of U. S. forces permanently stationed in Europe can be made without adversely affecting either our resolve or ability to meet our commitment under the North Atlantic Treaty;
2. S. Res. 99, adopted in the Senate April 4, 1951, is amended to contain the provisions of this resolution and, where the resolutions may conflict, the present resolution is controlling as to the sense of the Senate.

SENATE RESOLUTION 99

Whereas the foreign policy and military strength of the United States are dedicated to the protection of our national security, the preservation of the liberties of the American people, and the maintenance of world peace; and

Whereas the North Atlantic Treaty, approved by the Senate by a vote of 82-13, is a major and historic act designed to build up the collective strength of the free peoples of the earth to resist aggression, and to preserve world peace; and

Whereas the security of the United States and its citizens is involved with the security of its partners under the North Atlantic Treaty, and the commitments of that treaty are therefore an essential part of the foreign policy of the United States; and

Whereas article 3 of the North Atlantic Treaty pledges that the United States and the other parties thereto "separately and jointly, by means of continuous and effective self-help and mutual aid, will maintain and develop their individual and collective capacity to resist armed attack;" and

Whereas recent events have threatened world peace and as a result all parties to the North Atlantic Treaty are individually and collectively mobilizing their productive capacities and manpower for their self-defense; and

Whereas the free nations of Europe are vital centers of civilization, freedom, and production, and their subjugation by totalitarian forces would weaken and endanger the defensive capacity of the United States and the other free nations; and

Whereas the success of our common defense effort under a unified command requires the vigorous action and the full cooperation of all treaty partners in the supplying of materials and men on a fair and equitable basis, and General Eisenhower has testified that the "bulk" of the land forces should be supplied by our European allies and that such numbers supplied should be the "major fraction" of the total number: Now, therefore, be it

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Resolved, That-

1. the Senate approved the action of the President of the United States in cooperating in the common defensive effort of the North Atlantic Treaty nations by designating, at their unanimous request, General of the Army Dwight D. Eisenhower as Supreme Allied Commander, Europe, and in placing Armed Forces of the United States in Europe under his command;
2. it is the belief of the Senate that the threat to the security of the United States and our North Atlantic Treaty partners makes it necessary for the United States to station abroad such units of our Armed Forces as may be necessary and appropriate to contribute our fair share of the forces needed for the joint defense of the North Atlantic area;
3. it is the sense of the Senate that the President of the United States as Commander in Chief of the Armed Forces, before taking action to send units of ground troops to Europe under article 3 of the North Atlantic Treaty, should consult the Secretary of Defense and the Joint Chiefs of Staff, the Committee on Foreign Relations of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Armed Services Committees of the Senate and the House of Representatives, and that he should likewise consult the Supreme Allied Commander, Europe;
4. it is the sense of the Senate that before sending units of ground troops to Europe under article 3 of the North Atlantic Treaty, the Joint Chiefs of Staff shall certify to the Secretary of Defense that in their opinion the parties to the North Atlantic Treaty are giving, and have agreed to give full, realistic force and effect to the requirement of article 3 of said treaty that "by means of continuous and effective self-help and mutual aid" they will "maintain and develop their individual and collective capacity to resist armed attack," specifically insofar as the creation of combat units is concerned;
5. the Senate herewith approves the understanding that the major contribution to the ground forces under General

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Eisenhower's command should be made by the European members of the North Atlantic Treaty, and that such units of United States ground forces as may be assigned to the above command shall be so assigned only after the Joint Chiefs of Staff certify to the Secretary of Defense that in their opinion such assignment is a necessary step in strengthening the security of the United States; and the certified opinions referred to in paragraphs 4 and 5 shall be transmitted by the Secretary of Defense to the President of the United States, and to the Senate Committees on Foreign Relations and Armed Services, and to the House Committees on Foreign Affairs and Armed Services as soon as they are received;

6. it is the sense of the Senate that, in the interests of sound constitutional processes, and of national unity and understanding, congressional approval should be obtained of any policy requiring the assignment of American troops abroad when such assignment is in implementation of article 3 of the North Atlantic Treaty; and the Senate hereby approves the present plans of the President and the Joint Chiefs of Staff to send four additional divisions of ground forces to Western Europe, but it is the sense of the Senate that no ground troops in addition to such four divisions should be sent to Western Europe in implementation of article 3 of the North Atlantic Treaty without further congressional approval;

7. it is the sense of the Senate that the President should submit to the Congress at intervals of not more than 6 months reports on the implementation of the North Atlantic Treaty, including such information as may be made available for this purpose by the Supreme Allied Commander, Europe;

8. it is the sense of the Senate that the United States should seek to eliminate all provisions of the existing treaty with Italy which impose limitations upon the military strength of Italy and prevent the performance by Italy of her obligations under the North Atlantic Treaty to contribute to the full extent of her capacity to the defense of Western Europe;

9. it is the sense of the Senate that consideration should be given to the revision of plans for the defense of Europe as soon as possible so as to provide for utilization on a voluntary basis of the military and other resources of Western Germany and Spain, but not exclusive of the military and other resources of other nations.